

ASSEMBLY BILL

No. 1334

Introduced by Assembly Member Salinas

February 22, 2005

An act to amend Sections 1775 and 1777 of the Business and Professions Code, relating to dentistry.

LEGISLATIVE COUNSEL'S DIGEST

AB 1334, as introduced, Salinas. Dentistry: registered dental hygienists.

Under existing law, the Dental Practice Act, dental auxiliaries are licensed and regulated by the Committee on Dental Auxiliaries and the Dental Board of California. Existing law authorizes a registered dental hygienist in alternative practice to perform certain functions of a registered dental hygienist, subject to specified conditions.

This bill would expand the scope of those functions by authorizing a registered dental hygienist in alternative practice to perform all the duties of a registered dental hygienist, subject to those conditions.

Existing law authorizes a registered dental hygienist in alternative practice to hire and supervise dental assistants performing certain tasks.

This bill would also authorize a registered dental hygienist in alternative practice to hire and supervise registered dental assistants.

Existing law authorizes a registered dental assistant employed by or practicing in specified clinics to perform certain procedures under the direct supervision of a registered dental hygienist.

This bill would also authorize a registered dental assistant to perform those procedures under the direct supervision of a registered dental hygienist in alternative practice.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1775 of the Business and Professions
2 Code is amended to read:
3 1775. (a) A registered dental hygienist in alternative practice
4 may perform ~~those preventive and therapeutic functions~~
5 ~~described in subdivision (a) of Section 1760, subdivision (a) of~~
6 ~~Section 1760.5, and subdivisions (a) and (b) of Section 1762~~ all
7 the duties of a registered dental hygienist as an employee of a
8 dentist or of another registered dental hygienist in alternative
9 practice, or as an independent contractor, or as a sole proprietor
10 of an alternative dental hygiene practice, or as an employee of a
11 primary care clinic or specialty clinic that is licensed pursuant to
12 Section 1204 of the Health and Safety Code or as an employee of
13 a primary care clinic exempt from licensure pursuant to
14 subdivision (c) of Section 1206 of the Health and Safety Code, or
15 as an employee of a clinic owned or operated by a public hospital
16 or health system, or as an employee of a clinic owned and
17 operated by a hospital that maintains the primary contract with a
18 county government to fill the county's role under Section 17000
19 of the Welfare and Institutions Code.
20 (b) A registered dental hygienist in alternative practice may
21 perform the dental hygiene services specified in subdivision (a)
22 in the following settings:
23 (1) Residences of the homebound.
24 (2) Schools.
25 (3) Residential facilities and other institutions.
26 (4) Dental health professional shortage areas, as certified by
27 the Office of Statewide Health Planning and Development in
28 accordance with existing office guidelines.
29 (c) A registered dental hygienist in alternative practice shall
30 not do any of the following:
31 (1) Infer, purport, advertise, or imply that he or she is in any
32 way able to provide dental services or make any type of dental
33 health diagnosis beyond those services specified in subdivision
34 (a).

1 (2) Hire a registered dental hygienist to provide direct patient
2 services other than a registered dental hygienist in alternative
3 practice.

4 (d) A registered dental hygienist in alternative practice may
5 submit or allow to be submitted any insurance or third-party
6 claims for patient services performed as authorized pursuant to
7 this article.

8 (e) A registered dental hygienist in alternative practice may
9 hire other registered dental hygienists in alternative practice to
10 assist in his or her practice.

11 (f) A registered dental hygienist in alternative practice may
12 hire and supervise dental assistants *and registered dental*
13 *assistants* performing functions specified in subdivision (b) of
14 Section ~~1751~~ 1752.5.

15 (g) A registered dental hygienist in alternative practice shall
16 provide to the board documentation of an existing relationship
17 with at least one dentist for referral, consultation, and emergency
18 services.

19 ~~(h) A registered dental hygienist in alternative practice may~~
20 ~~perform dental hygiene services for a patient who presents to the~~
21 ~~registered hygienist in alternative practice a written prescription~~
22 ~~for dental hygiene services issued by a dentist or physician and~~
23 ~~surgeon licensed to practice in this state who has performed a~~
24 ~~physical examination and a diagnosis of the patient prior to the~~
25 ~~prescription being provided. The prescription shall be valid for a~~
26 ~~time period based on the dentist's or physician and surgeon's~~
27 ~~professional judgment, but not to exceed 15 months from the date~~
28 ~~that it was issued.~~

29 SEC. 2. Section 1777 of the Business and Professions Code is
30 amended to read:

31 1777. While employed by or practicing in a primary care
32 clinic or specialty clinic licensed pursuant to Section 1204 of the
33 Health and Safety Code, in a primary care clinic exempt from
34 licensure pursuant to subdivision (c) of Section 1206 of the
35 Health and Safety Code, or a clinic owned and operated by a
36 hospital that maintains the primary contract with a county
37 government to fill the county's role under Section 17000 of the
38 Welfare and Institutions Code, a registered dental assistant or a
39 registered dental assistant in extended functions may perform the
40 following procedures under the direct supervision of a registered

- 1 dental hygienist *or a registered dental hygienist in alternative*
- 2 *practice*, pursuant to subdivision (b) of Section 1763:
- 3 (a) Coronal polishing, after providing evidence to the board of
- 4 having completed a board-approved course in that procedure.
- 5 (b) Application of topical fluoride.
- 6 (c) Application of sealants, after providing evidence to the
- 7 board of having completed a board-approved course in that
- 8 procedure.